

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMIDA CAPITAL MANAGEMENT II,
LLC,

Plaintiff,

-against-

CERBERUS CAPITAL MANAGEMENT,
L.P.,

Defendant.

Case No. 1:08-CV-05516-MGC

**DEFENDANT CERBERUS CAPITAL
MANAGEMENT L.P.'S RULE 7.1
DISCLOSURE STATEMENT**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, the undersigned, counsel for Defendant Cerberus Capital Management, L.P. ("Defendant"), states that there is no parent corporation of Defendant and no publicly held corporation that owns 10% or more of the ownership interests of Defendant.

Dated: New York, New York
August 7, 2008

MILBANK, TWEED, HADLEY & McCLOY LLP

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CERTIFICATE OF SERVICE

I, Michael L. Hirschfeld, an attorney duly admitted to practice before the United States District Court for the Southern District of New York, certify that on August 7, 2008, a copy of the foregoing Rule 7.1 Disclosure Statement was filed electronically. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

/s/ Michael L. Hirschfeld
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